



Public Hearing Guide

Electric Construction Projects

What is a Public Hearing?

A public hearing creates part of a permanent record that the Public Service Commission (PSC) reviews when deciding whether to approve, deny, or modify an electric transmission or power plant project. The PSC encourages the public to testify about its concerns and offer information for the hearing record. The PSC public hearing process offers the opportunity for members of the public, local government officials, industry representatives, and others to bring their thoughts and views about a case to the attention of the Commissioners. Testifying at a hearing is essential if the Commissioners are to reach the most fair and reasonable decision possible.

How Can I Be Part of This Process?

The Notice of Hearing is mailed to everyone on the PSC project mailing list. Public hearings are held in the area of the proposed construction project.

Just come to the hearing and express your views. You will need to attend the hearing and testify if you want input into the PSC decision. The three PSC Commissioners make their decisions based on the permanent record of the hearing. PSC staff will be present at the hearing to assist you.

Is it Difficult to Testify?

No, it is easy to testify. You do not need a lawyer. You do not need to stay until the hearing ends. There are brief "appearance slips" to fill out when you arrive. When it is your turn to speak, the PSC Administrative Law Judge (ALJ) will call you to the stand. The ALJ makes sure the hearing is conducted in an orderly and fair manner.

When you testify, the ALJ will ask you to repeat an oath, give your name and address, and begin your statement. You should speak clearly so your statement can be accurately recorded by the court reporter. You can prepare your statement in advance and read it directly into the record.

You may be asked questions to help make your testimony more clear. If you do not know the answers, just say so. If you are with an organized group whose members all share the same opinions on a subject, it is often best to choose one or two persons to testify for the group.

The ALJ will make special arrangements for the disabled or hearing impaired. Be sure to contact the ALJ assigned to the project as far ahead as possible to indicate your special needs. The Notice of Hearing provides information regarding PSC contacts.

What Should I Say at the Hearing?

The PSC is looking for facts, values, and ideas about any aspect of the proposed project. However, your comments must apply to the subject of the hearing. For example, you might testify to the

environmental impacts or whether there is a need for the proposed project. You should say what impacts you are most concerned about.

Are There Other Types of Hearings?

The PSC holds technical hearings as well as public hearings. Sometimes they are combined; sometimes they are held separately. At technical hearings, PSC staff, and other parties provide expert testimony and exhibits. The witnesses include engineers, planners, economists, environmental analysts, rate analysts, and accountants. Witnesses are cross-examined. The technical hearings are open to the public for observation. They also become part of the permanent record.

Can I Get More Involved?

Individuals or groups who want to get more deeply involved may request full party status. You may write to the ALJ before a hearing to request full party status. However, you do not need to be a full party to testify.

As a full party, you will receive copies of the hearing transcript and all documents that are exchanged between the parties. You must also supply all parties with copies of your own documents. You will have the opportunity to cross-examine the technical hearing witnesses, write briefs, and receive post-hearing petitions.

If you have important rights that may be harmed by proposed project, you will be given the benefit of full party status. However, you must notify the ALJ in writing about your situation at least ten days before the hearing.

Do I Have to Testify?

No. You may fill out an appearance slip showing that you attended the hearing and were in support, against, or undecided about the utility project. You may also change your mind at any time during the public hearing and decide to testify or not. There is a box on the appearance slip that allows you to indicate if you want a copy of the final Commission Order.

When Will the PSC Make a Decision?

After the hearing is completed, the PSC makes a decision based on the information contained in the record. The PSC Commissioners can use only the testimony and exhibits presented at the hearings as a basis for their decision.

A briefing period may follow the hearing. Briefs are written arguments about issues the Commissioners need to decide and are part of the record. They are usually written by attorneys and other parties.

What Are the Types of PSC Decisions?

The Commission is responsible for making the final decision about proposed electric projects. The three PSC Commissioners review all testimony and briefs from the applicant, PSC staff, DNR staff, full parties, and members of the public.

The three Commissioners meet regularly in “open meetings” to decide cases before them. At these open meetings proposed electric projects are approved, denied, or modified. The Commissioners decide whether the project will be built, how it is designed, and where it will be located. The meetings are open to the public for observation but not public comments. The Commission’s decision is described in a written order to the project applicant.

After the Commissioners reach a decision, the PSC will send you a copy of the order free of charge if you filled out an appearance slip when you attended the hearing and checked the box indicating that you wanted a copy.

How Do I Get More Information?

If you need more information about PSC public hearings, the PSC staff is glad to answer any questions or send you any available information. To receive notice of hearing times and locations or to ask questions about the process contact the PSC Docket (or Project) Coordinator. The PSC web site at <http://psc.wi.gov> is also a good source of information. The web site will have project status and contact information

Bilingual Service – Servicio Bilingüe

The PSC is also able to provide customer assistance in Spanish. When calling the PSC, please ask to speak to a Spanish speaking representative.

En la Comisión de Servicios Públicos del estado de Wisconsin (PSC) podemos asistirles en Español. Cuando llame a la PSC, pida hablar con un representante de habla hispana.

Public Service Commission

Electric Division

610 N. Whitney Way

P.O. Box 7854

Madison, WI 53707-7854

608-266-5481

TTY: 608-267-1479

Fax: 608-266-3957

<http://psc.wi.gov>